

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
KENNETH GREGORY COOK,) CASE NO.: 18-53572-PMB
)
DEBTOR.)

**CHAPTER 13 TRUSTEE'S SUPPLEMENTAL OBJECTION TO
CONFIRMATION AND MOTION TO DISMISS**

COMES NOW MELISSA J. DAVEY, Chapter 13 Trustee, and objects to confirmation of the plan and files this Motion to Dismiss under 11 U.S.C. Section 1307(c), for cause, including the following reasons:

1. Debtor has failed to file a Certificate of Service indicating that a Notice of Hearing on Confirmation was timely served on all creditors materially and adversely affected by the Pre-Confirmation Modified Plan and/or Modification Statement, in violation of F.R.B.P. 3015, 2002 and NDGA Bankruptcy Court General Order 21-2017, Section 4.3.

WHEREFORE, the Trustee moves the Court to inquire into the above objections at the separately scheduled and noticed confirmation hearing, deny confirmation of the Chapter 13 Plan, dismiss the case, and for such other and further relief that this Court deems just and proper.

July 31, 2018

/s/Jason L. Rogers

Jason L. Rogers
Attorney for the Chapter 13 Trustee
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18-53572-PMB

CERTIFICATE OF SERVICE

This is to certify that I have this day served:

DEBTOR(S):

KENNETH GREGORY COOK
5771 SOUTHLAND WALK
STONE MOUNTAIN, GA 30087

DEBTOR(S) ATTORNEY:

SLIPAKOFF & SLOMKA, PC
OVERLOOK III, SUITE 1700
2859 PACES FERRY RD, SE
ATLANTA, GA 30339

with a copy of the Chapter 13 Trustee's Supplemental Objection to Confirmation and Motion to Dismiss by depositing same in the United States Mail in a properly addressed envelope with adequate postage thereon.

July 31, 2018

Prepared and Presented by:

/s/Jason L. Rogers

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